

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
September 22, 2023
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23860**

Members Present

Mr. James R. Dawson, Chairman
Mr. Alan D. Givens
Mr. David V. Hutchins
Mr. Joseph Kessler (arrived after approval of the
May 12, 2023 meeting minutes)
Ms. Christina Jackson
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White

Members Absent

Mr. Vince Butler
Mr. Daniel Crigler
Mr. Aaron Zdinak, PE

Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:00 a.m. by Chair Dawson.

Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin I. Bell, legal counsel for the Review Board from the Attorney General’s Office, was also present.

Approval of Minutes The draft minutes of the July 21, 2023 meeting in the Review Board members’ agenda package were considered. Ms. Monday moved to approve the minutes as presented. The motion was seconded by Mr. Moss and passed with Messrs. Givens and Pharr and Ms. White abstaining.

Public Comment Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

New Business Mazzei Construction Group LLC: Appeal No. 23-02:

Note: Mr. Mays recused himself from participation as a Board member in this hearing due to his being the Building Official for Prince William County and a party to this appeal.

**State Building Code Technical Review Board
September 22, 2023 Minutes - Page 2**

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 4997-5051 Anchorstone Drive, in Prince William County.

The following persons were sworn in and given an opportunity to present testimony:

Eric Mays, Prince William County Building Official
Nathan Supinski, Vice-President of Mazzei Construction

After testimony concluded, Chair Dawson closed the hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: Mazzei Construction Group LLC: Appeal No. 23-02:

After deliberations, Ms. Jackson moved to overturn the local appeals board finding because the appeal was timely filed based on the violation date listed on the Notice of Violation. The motion was seconded by Mr. Moss and passed with Messrs. Givens, Kessler, Pharr, and Moss voting in opposition.

Mr. Moss moved to remand the case to the Prince William County local appeals board for a hearing on the merits of the case. The motion was seconded by Ms. Jackson and passed unanimously.

William Bock: Appeal No. 23-01:

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 2405 Parkers Lane, in Fairfax County.

The following persons were sworn in and given an opportunity to present testimony:

William Bock, Property Owner
David Domin, Code Compliance Inspector for Fairfax County

Also present was:

Patrick Foltz, Assistant County Attorney for Fairfax County

During the hearing, Patrick Foltz, legal counsel for Fairfax County, requested a brief recess to discuss the case with Mr. Bock. After a brief recess, the parties returned and agreed to continue the hearing until the

**State Building Code Technical Review Board
September 22, 2023 Minutes - Page 3**

November 17, 2023 meeting pending a consent order. Mr. Moss moved to accept the parties request to continue the hearing to the November 17, 2023 meeting, pending the submittal of a consent order to the Secretary, which will be presented in the November 17, 2023 agenda package for review and consideration. The motion was seconded by Mr. Kessler and passed unanimously.

Fairfax County: Appeal No. 23-03:

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 7108 Centerville Road, in Fairfax County.

The following persons were sworn in and given an opportunity to present testimony:

Lewis Washington, Property Owner
Dan Willham, Deputy Building Official for Fairfax County
Kyle Kratzer, Inspector for Fairfax County

Also present was:

Justin Criner, legal counsel for Lewis Washington
Patrick Foltz, Assistant County Attorney for Fairfax County

After testimony concluded, Chair Dawson closed the hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: Fairfax County: Appeal No. 23-03:

After deliberations, Mr. Mays moved to overturn the local appeals board finding because they did not consider the actual conditions of the structure and site at the time the appeal was filed; therefore, they did not have sufficient evidence to make the decision they made. Mr. Mays further moved to remand the case to the local appeals board to re-hear the case. The motion was seconded by Ms. Jackson and passed with Mr. Kessler voting in opposition.

Secretary's Report

Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for November 17, 2023.

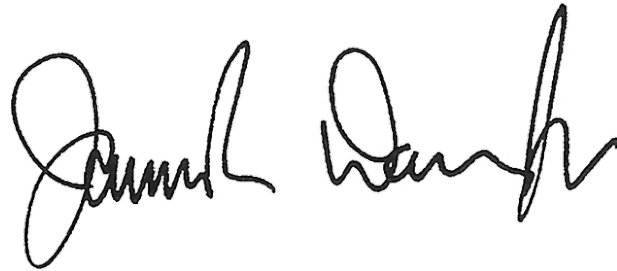
Mr. Bell provided legal updates to the Review Board members.

State Building Code Technical Review Board
September 22, 2023 Minutes - Page 4

Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 3:00 p.m.

Approved: November 17, 2023

A handwritten signature in black ink, appearing to read "James D. Smith". The signature is fluid and cursive, with the first name being the most prominent.

Chair, State Building Code Technical Review Board

A handwritten signature in black ink, appearing to read "William J. Smith". The signature is fluid and cursive, with the first name being the most prominent.

Secretary, State Building Code Technical Review Board